## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN

TOWN OF LAC DU FLAMBEAU

Plaintiff,

v.

Case No. 3:23-cv-582

U.S. DEPARTMENT OF THE INTERIOR and BUREAU OF INDIAN AFFAIRS,

Defendants.

## JOINT STIPULATED NON-DISPOSITIVE MOTION FOR EXTENSION OF TIME TO FILE DISPOSITIVE MOTIONS

Plaintiff Town of Lac du Flambeau and Defendants U.S. Department of the Interior and Bureau of Indian Affairs (together, the "Parties") hereby stipulate and agree to extend the deadline to file dispositive motions. In support of this stipulated motion, the Parties state the following:

- 1. On November 2, 2023, the Court entered an order directing that dispositive motions be filed no later than March 29, 2024, with responses due 21 days thereafter, and replies due an additional 10 days thereafter. Dkt. No. 9.
- 2. On March 20, 2024, the Court granted the Parties' first joint motion for an extension of time to file dispositive motions, and thus ordered that dispositive motions be filed no later than May 3, 2024, with responses due on May 24, 2024, and replies due on June 3, 2024. Dkt. No. 12.
- 3. Because the Parties are making progress toward the resolution of this matter short of additional Court involvement, the Parties jointly request an extension of fourteen (14) days to file dispositive motions.

4. As such, the Parties jointly request that the dates for dispositive motions be

scheduled as follows:

a. Dispositive Motions Due: May 17, 2024

b. Response Briefs Due: June 7, 2024

c. Reply Briefs due: June 17, 2024

The requested extensions will not interfere with any case deadlines. 5.

6. This stipulated motion is not made solely for the purpose of delay.

WHEREFORE, the Parties respectfully request that the Court grant their request to extend the deadline to file dispositive motions to May 17, 2024, with response briefs due June 7, 2024,

and reply briefs due June 17, 2024.

Dated: April 30, 2024

Respectfully submitted:

/s/ Frank W. Kowalkowski

FRANK W. KOWALKOWSKI 300 N. Broadway, Suite 2B

Green Bay, Wisconsin 54303

T: (920) 713-7800

F: (920) 232-4897

E: frank.kowalkowski@vonbriesen.com

Attorneys for Plaintiff Town of Lac du

Flambeau

TIMOTHY M. O'SHEA

United States Attorney

By: /s/ *Albert Bianchi, Jr.* 

ALBERT BIANCHI, JR.

**Assistant United States Attorney** 

222 West Washington Ave., Suite 700

Madison, Wisconsin 53703 Telephone: (608) 264-5158 Facsimile: (608) 264-5724 Albert.Bianchi@usdoj.gov

Attorneys for United States Department of Interior and Bureau of Indian Affairs

## Of Counsel:

Teresa Garrity
United States Department of the Interior
Office of the Solicitor